

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**ELAINE L. CHAO**, Secretary of Labor,  
United States Department of Labor,

Plaintiff,

VS.

**MIDWEST RACKING MANUFACTURING,  
INC.**, a corporation, d/b/a **MIDWEST RACK  
MANUFACTURING, INC.**, **MICHAEL L.  
SABADOS, JR.**, an individual, and  
**MICHAEL SABADOS, SR.**, an individual,

Defendants.

CASE NO. CV-06-239-GPM-PMF

**ORDER**

**FRAZIER, JUDGE:**

The Secretary of Labor has submitted a number of documents for *in camera* inspection. These documents were either withheld or redacted pursuant to privilege or objection. I have personally reviewed each of the withheld and/or redacted documents. I find that each of these documents has been properly withheld and/or redacted for the reasons stated by the Secretary with one exception. The Secretary withheld a document which is identified as "WHISARD: Results of Case Quality Test on Midwest Rack Mfg." The document is further identified by date stamp Bate No. 000061. The reason for withholding that document was relevance. That document may contain relevant information or lead to the discovery of relevant information. For that reason, it should be produced. All other documents may be withheld or redacted as they previously have been.

My office will hold the subject documents which were submitted for *in camera* inspection until December 6, 2006. The documents will then be either destroyed or returned to the Secretary. The Secretary should notify this office which of those options is preferred.

**IT IS SO ORDERED.**

**DATED: November 17, 2006.**

s/ Philip M. Frazier  
**PHILIP M. FRAZIER**  
**UNITED STATES MAGISTRATE JUDGE**